FOR MYSORE STATE

Passed

Secrt. IE-27—

HOME (195 3) Department.

RN SERIES

G.O. NO. 424

Dated 9/2/1953

[Despatch Abstract.]

ARMS ACT AND RULES - South Kanara District - Military Stores - Sulphur - Issue of licence to Chairman, South Kanara Cocoanut and Arecanut - Marketing Committee to possers and sell sulphur permitted.

Ref.C.No.25414/52

From

South Kanara Dt.Magistrate's Office,
Mangalore, dated 15----11-----52.

Sri C. A. Ramakrishnan, I.C.S.,
Dt.Magistrate of South Kanara.

To

The Secretary to Government,
Home Department,
Fort St.George,
MADRAS-9.

Sir, .

ARMS ACT AND RULES - South Kanara District - Possession and sale of Sulphur by South Kanara Cocoanut and Arecanut marketing committee Mangalore --Grant of licence - instructions solicited.

-----:o:-----

Ref:-Government Memorandum No.51599/F/52-5 dated 6th October 1952 Food and Agricultural Department Madras.

The chairman South Kanara Cocoanut and Arecanut Committee Mangalore requests that the committee may be authorised to store 25 tons of Sulphur for sale to the dealers in Arecanut for the purpose of fumigating about 1,60,000 cwts of Arecanuts. He says that the dealers find it difficult to procure sulphur for their bonafide use. Further he says that M/S P.Dulabhadas & Co., Bombay have offered to supply 25 tons of German Sulphur and t in order to get this stock from Bombay the committee requests that a licence may be issued urgently for its storage and sale.

2. According to the G.O. 251 Home Department dated 21.1.47 licences for possession etc, may be issued to persons mentioned in the items 1 to 9 of that G.O. In view of this I doubt whether the marketing committee may be classified under any of the items mentioned therein. I request to be informed whether I can grant a licence in the name of the chairman of the committee for possession and sale of 25 tons of sulphur.

Yours faithfully

For Dt.Magistrate

SR/16-11

Home Dept.

Memo. No 217181 Pol V/52-1 Dated 6.12.52

Arms Act and Rules — South Kanara district — Military stores — Sulphur — Issue of licence to the Chairman, South Kanara Cocoanut and Arecanut Marketing Committee, Mangalore, to possess and sell sulphur

Ref:— From the Collector of South Kanara letter C.No. 254/14/52, dated 15—11—1952

The Collector of South Kanara is requested to report not later than 20—12—1952 on the following points:—

(i) Whether satisfactory arrangement exists for the storage of sulphur by the South Kanara Cocoanut and Arecanut ~~Marketing~~ Committee if a licence for the possession of 25 tons of sulphur is granted to it.

(ii) Whether the Committee is willing to comply with all the conditions of the licence and the relevant provisions of the Arms Act and Rules.

(iii) How the arecanut growers were obtaining their requirements of sulphur before and why they cannot continue to obtain sulphur required by them in the usual manner; and

(IV) Whether the Marketing Committee is a Government aided or sponsored body.

4/12/52 5/12/52 6/12/52

Opd 6.12.52

The Collr. of South Kanara

R.D. 21-12-52

Ref. C5. 267/53

S.K.Dt.Magistrate's Office,
Mangalore, dated 13.1.53.

From

Sri C. A. Ramakrishnan, I.C.S.
District Magistrate, South Kanara.

To

The Secretary to Government,
Home Department, Fort St.George,
Madras. 9.

Sir,

ARMS ACT AND RULES: South Kanara District - Military stores Sulphur -Issue of licence to the Chairman South Kanara Cocoanut and Arecanut marketing committee - Mangalore to possess and sell sulphur-report.

.....

REF: Government Memo.No.217181-Pol.V.52 dated 6.12.52.

****

It is reported that the committee has made satisfactory arrangements for the storage of 25 tons of sulphur, and that the committee is willing to comply with all the provisions of the Arms Act and Rules and the conditions of the licence. The sulphur is required by the arecanut traders and not growers for the purpose of fungicide for fumigating arecanuts to prevent deterioration during storage and transport.

The marketing committee is constituted by the Government to render service to both the traders and growers of arecanuts. The traders find it difficult to get their requirements in time at reasonable rates as such the committee has resolved to arrange for the supply of sulphur to all bonafide traders of arecanuts at reasonable rates, by arranging bulk purchase from the agricultural department. A majoirty of Arecanut dealers have got separate licences for storage of sulphur. The sulphur received by the committee is intended for distribution to traders who have licences

The market committee is a Government sponsored body constituted under the Madras Commercial Crops Market Act 1933, (Madras Act XX of 1933. It is a body corporate as per section 7 of the said Act. The Executive authority of the committee i.e. the Secretary is a Government servant appointed by the Government.

Yours faithfully,

For District Magistrate.

mn.15.1.

(C.No 21781/Pdu/52)

10

Ly.O.R.No. 424

Home Dept
Dated 9.2.53

Arms Acts and Rules — South Kanara district — Military stores — Sulphur — Issue of licence to Chairman, South Kanara Cocoanut and Arecanut Marketing committee to possess and sell sulphur — Permitted

Read:— From the Collector of South Kanara letters No. C. 25414/52, dated 15-11-1952 and C5. 267/53, dated 13-1-1953

The Collector of South Kanara may ~~permitted to~~ issue a licence to the Chairman, South Kanara Cocoanut and Arecanut Committee, Mangalore, to possess and sell 25 tons of sulphur in layers

17)

2: The attention of the Collector is invited to the Govt. of India, Ministry of Commerce and Industry Notification S.R.O. 167, dated 1-2-1951 as amended in Notification No. P.C. 18(1)/51-1, dated 24-11-1951 and also to Sulphur Stock (Regulation) Rules, 1951 issued under the Supply and Prices of Goods Act, 1950, and he is requested to see that the returns prescribed therein are regularly submitted by the ~~Chairman of the Committee~~ licensees to the officers concerned.

'K' on p.4 ✓

p.4 ✓

20/1/53 21/1/53

22/1/53

15pd 16/2/53

The Collr. of South Kanara

copy for S.F. ✓ Added

(C.No. 217181/Pub/52)

HOME DEPARTMENT.

Arms Act and Rules - South Kanara Dt. - Military stores - Sulphur - Issue of licence to the Chairman, South Kanara Cocoanut and Arecanut marketing Committee, Mangalore to possess and sell sulphur.

From the Collr. of South Kanara, letter C.No. 25414/52 d/15.11.52.

The Collr. of South Kanara requests to be informed whether he can grant a licence in the name of the Chairman, South Kanara Cocoanut and Arecanut Committee, Mangalore, for possession and sale of 25 tons of sulphur to be sold to the dealers in arecanuts for the purpose of fumigating about 1,60,000 cwts. of arecanuts. The Collr. has reported that the Chairman has stated that the dealers find it difficult to procure sulphur for their bonafide use, that M/s. P.Dulabhadas & Co., Bombay, have offered to supply 25 tons of German Sulphur and that in order to get this stock from Bombay a licence may be issued urgently for its storage and sale. The Collr. has observed that according to G.O. Ms. No. 252, Home, d/21.1.47 licences for the possession etc. of sulphur may be issued to persons mentioned in the items 1 to 9 of that G.O. and that it is doubtful whether the Marketing Committee may be classified under any of the items mentioned therein.

According to G.O. Ms. 252, Home, d/2.1.47, no fresh licence for the possession etc. of sulphur should be granted to any institution or person not falling in any of the classes mentioned in the G.O. This case may be held to fall under class 8 (vide Rule 6 G.O ii) persons engaged in curing arecanuts. There seems to be no objection to grant a licence for the possession of 25 tons of sulphur which the Committee proposes to import from Bombay. The Collr. has not stated whether satisfactory arrangements exist for the storage of sulphur by the Committee if a licence for the possession of 25 tons is granted to it. The

Collr. may be asked. A draft memo. is submitted for approval. Food & Agri. may see.

26/11/52 26/11/52

The draft may be seen
The quantum of sulphur to be possessed are controlled by the Govt of India & think. Dev have some papers on the subject. They may see for remarks whether there is any objection to the S.K Cocoanut & Arecanut committee being licensed to possess and sell 25 tons of sulphur ~~at a time~~ in a year
F+A may also see for remarks.

M1

27/11/52 DS

Hon. R. wire

"Have you any idea as to how they were procuring their requirements of sulphur hitherto and whether the Marketing Committee is a Govt. aided or sponsored one.

I.J.N /1.12.52."

Item (1) above:

No information is available in this Dept. as to how the South Kanara Cocoanut and Arecanut Marketing Committee were procuring their requirements of sulphur hitherto. Presumably dealers in arecanut were purchasing sulphur in the open market. No information is available on this point in the Food & Agri. Dept. also. The Collr. may be asked on the point.

Not from open market, from licensed dealers.
M.B.S.

A

Item (II) above:

It has been ascertained informally from Food & Agri. Dept. that the Committee is a statutory body constituted under the Madras Commercial Crops Markets Act, 1933, and has the status of a local body like a Municipality.

F

M.S.
2.12.52.

"The Collr. may be asked how the

Arecanut growers were obtaining their requirements of sulphur before and why they cannot continue to obtain sulphur required by them in the usual manner.

M.B.S./2.12.52."

"Collector may be consulted as proposed and also on the Marketing Committee. Dev. and Food & Agri. may see meanwhile.

I.J.N./3.12.52."

A|

With reference to D.S's orders at 'A' above, a revised draft is re-submitted for abbl. After issue, Dev and Food file may be sent to Dev. and F.+A. Depts.

Nmd 4/12/52 lu 5/12/52 PBS 6/12/52 Dev | F&A (ai)

Issued as Rams No 217181-Pol V/52-1 & 6.12.52

Home no. no. p.3 e/r 217181 Pol U/52-2 d. 6.12.52.

& p/cf Dev 139059 8.12.52

SUPTG. ASSISTANT SECRETARY TO GOVERNMENT 8 DEC 1952 DEVELOPMENT DEPARTMENT

Dev. Deptt.(G).

Home Deptt. notes on p.1 above may be read.

The file relates to the issue of a licence in the name of the Chairman, South Kanara Coconut and Arecanut Committee, Mangalore, for possession and sale of 25 tons of sulphur in a year to dealers in arecanuts for fumigation purposes. The file has been sent to this department for remarks with reference to 'M' on p. 2 above.

2. "Sulphur" has been brought within the purview of the Supply and Prices of Goods Act, 1950. The Govt. of India have ~~informed~~ imposed certain restrictions on dealers who carry on the business of importing Sulphur, other classes of dealers in sulphur, and ordinary users of sulphur. 'Dealer' is defined in the Supply and Prices of Goods Act, 1950 as " a person carrying on the business of selling any goods whether wholesale or retail". Since the Chairman of the Arecanut Committee, Mangalore now proposes to obtain 25 tons

Not to be up

4

of sulphur from a Bombay firm and sell it to arecanut dealers for use in fumigating them, the Chairman should be deemed to be a 'dealer' for the purposes of the Act. According to clause (b) of the Govt. of India Ministry of Commerce and Industry Notification No.S.R.O.167 dated 1-2-51 as amended in Notification No.P.C.18(1)/51-1, dated 24-11-51, dealers in sulphur have to submit ~~Stock~~ statements in the prescribed form before the 15th of every month to the Development Officer, (Chemicals, Drugs and Plastics) Ministry of Commerce and Industry, Shahjehan Road, New Delhi with copies to the Collectors of the District and the D.I.& C. The dealers in arecanuts should not also stock more than what is required for a month. Copies of the Notifications and Sulphur Stock (~~Regulation~~ Regulation) Rules, 1951 issued under the Supply and Prices of Goods Act, 1950 have gone to all Collectors including the Collector of South Kanara, Mangalore. If it is finally decided to issue a licence to the Chairman of the Market Committee, Home Dept. may be requested to invite the attention of the Collector to the notifications relating to Sulphur and to the Sulphur Stock (Regulation) Rules, 1951 issued under the Supply and Prices of Goods Act, 1950 and to see that the returns are regularly ~~published~~ submitted to the Officers concerned. With these remarks the file may be passed on to F.& A. Deptt.

Pt 3 of (A)

Pt 9-10 of (A)

Pt 5 to of (A)

K

Pt 1-6 of (A)

✓ vide R'mp 97 (A)

Is there any quantitative restriction on the stock that a dealer can acquire at a time?

+ Rule 2 mp 7 (A)

12/12/52. Under Secretary's query in the margin.

Submitted

There is no quantitative restriction on the Stock of Sulphur that can be possessed by a dealer at a time. The restriction regarding the possession of one month's requirements applies to persons other than dealers and producers.

15/12/52

F & A. vide F/40 F (2 below)

Dev h.o 139056 E/-1
16-12-52

DEPUTY SECRETARY

F.A(A) dept.

To A.S

Notes from page 1 above may be perused. It may be stated that in June 1952 the Sonth Kanara Coconut and Arecanut market Committee addressed the Govt. through the D.A. to arrange for the supply of 25 tons of Sulphur for distribution to traders of arecanut for the purpose of furnisating the arecanuts. After consulting the D. I Sc., the Committee was informed to contact the Collector of Sonth Kanara and ascertain the requirements locally to the extent possible and approach the Dy. Dev. Officer (chemical) Govt. of India. ~~The position stated at A/1 and 2 on page is correct.~~ With these remarks, the file may be returned to Home dept.

22/12/52 23/12/52

27.12.52

Home

7 A 20816161 F/52-1

29-12-52

Home Dept

Please see the notes ~~and~~ of this Dept on pps 1-3 ante and the notes of Dev and F+A following. No reply has been received from the Collector of South Kanara with reference to memo at pps. 3-4 cf. He has been reminded. Receipt of his reply may be awaited till 10-1-1953

*RR

24359

31/12/52 31/12/52

HBS 31/12/52

P.T.O.

From the Collector of South Kanara, No: CS. 267/53. dated 13-1-1953 — P.5 cf

Please see this Depts notes on pp. 1-3 ante, the notes of Development and F+A following, inviting attention at p.3-4 cf to the Collector of South Kanara and his reply at p.5 cf. — p.3-4 cf

W.r.t. D.S's note at A, on p.3 ante, the Collector has reported ~~that it is reported~~ that the committee has made satisfactory arrangements for the storage of 25 tons of sulphur and that the committee is willing to comply with all the provisions of the Arms Act and Rules and the conditions of the licence. He has further reported that ~~the~~ sulphur is required by the arecanut traders and not growers for the purpose of fungicide for arecanuts to prevent deterioration during storage and transport. — (A' on p.3 ante) P.5 cf

2. ~~According to~~ The Collector has stated that the marketing committee is constituted by Government to render service to both the traders and growers of arecanuts ~~that~~ in that as traders find it difficult to get their requirements in time at reasonable rate the committee has resolved to arrange for the supply of sulphur to all bonafide traders of arecanuts at reasonable rates by arranging bulk purchase from the Agricultural Dept, that a majority of arecanut dealers have got separate licences for storage of sulphur and that the sulphur received by the Committee is intended for distribution to traders who have licences — P.5 cf

3. The Collector has further reported that the market committee is a Govt sponsored body constituted under the Madras Commercial Crops Market Act, 1933. — P.5 cf

(Madras Act XX of 1933), that it is a body corporate as per section 7 of the said Act and that the Executive authority of the Committee i.e. the Secretary is a Government servant appointed by Govt.

4 In view of the report of the collector at p. 5 cf, he may be permitted to issue a licence to the Chairman of the Committee for the possession and sale of 25 tons of sulphur in a year and he may also be informed as at K on p. 4 ante.

Under 'A' on p. 1 ante

5 Subject to orders, draft submitted is for approval.

20/1/53 20/1/53

Play crore

22/1/53

Small

DS

7/2/53

Issued as G.O.R. No. 424, dated 9-2-53